

**PUBLIC SESSION MINUTES**  
**North Carolina State Board of CPA Examiners**  
**January 24, 2005**  
**1101 Oberlin Road**  
**Raleigh, NC 27605**

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**MEMBERS ATTENDING:** Norwood G. Clark, Jr., CPA, President; Leonard W. Jones, CPA, Vice President; Arthur M. Winstead, Jr., CPA, Secretary-Treasurer; O. Charlie Chewning, Jr., CPA; Thurman L. Gause; Jordan C. Harris, Jr.; and Michael C. Jordan, CPA.

**STAFF ATTENDING:** Robert N. Brooks, Executive Director; J. Michael Barham, CPA, Deputy Director; Lisa R. Hearne, Manager-Communications; Ann J. Hinkle, Manager-Professional Standards; Buck Winslow, Manager-Licensing; and Noel L. Allen, Legal Counsel.

**GUESTS:** James T. Ahler, Executive Director, NCACPA; Sharon Bryson, Deputy Director, NCACPA; Tom Chenoweth, CPA, Highland Publishing Company; Curt Lee, Past President, NCSA; and Donna Salter, Director of Professional Development, NCACPA.

**CALL TO ORDER:** President Clark called the meeting to order at 10:08 a.m.

**MINUTES:** The minutes of the December 20, 2004, meeting were approved as submitted.

**FINANCIAL AND BUDGETARY ITEMS:** The financial statements for December 2004 were accepted as submitted.

Messrs. Winstead and Harris moved to approve the purchase of a certificate of deposit from Regions Bank. Motion passed.

**NATIONAL ORGANIZATION ITEMS:** The Board reviewed and discussed the information from AICPA, NASBA, and Prometric regarding proposed fee increases from Prometric for hourly seat charges effective July 1, 2005, and AICPA grading fee increases effective January 1, 2006. NASBA will not increase National Candidate Database fees until at least January 1, 2007.

The Board reviewed the information from NASBA regarding recommendations for 2005 -2006 vice chair.

The Board reviewed and accepted the NASBA Examination Review Board's memorandum which stated that boards of accountancy could rely on the results of the scoring process and on the reasonableness of the content area performance profiles for the October/November 2004 Uniform CPA Examination testing window.

**STATE AND LOCAL ORGANIZATION ITEMS:** The Board reviewed and discussed the NCACPA's ethics courses, *NC Accountancy Law Course: Ethics Principles and Professional Responsibilities* and *Professional Ethics and Conduct*, regarding their development and updating procedures.

**REPORT OF THE PROFESSIONAL STANDARDS COMMITTEE:** Mr. Jones moved and the Board approved the following recommendations of the Committee:

200412-055 - James Christen Rasmussen - Approve the Board Order (Appendix I).

200412-056 - Alan C. Cuthbertson - Approve the Board Order (Appendix II).

200412-056 - Charles Wallace Archerd - Approve the Board Order (Appendix III).

**Conditional License Status and Civil Penalty** - Pursuant to 21 NCAC 8G .0406(b)(2), by Board Order, the following licensees' certificates have been placed on conditional status for one year and each licensee has been assessed a \$250.00 civil penalty:

Karl Scott Francis, #16510  
Robert Edwards King, #2725  
Marie K. Miller, #19253

Donald Richard Oliver, Jr., #18239  
Katherine Finley Smithey, #18010  
Ray Wayne Stewart, #12824

Appendix IV

**REPORT OF THE PROFESSIONAL EDUCATION AND APPLICATIONS COMMITTEE:** Mr. Harris moved and the Board approved the following recommendations of the Committee:

**Transfer of Grades Applications** - The following were approved:

William Christian Carter  
Chris S. Elrod

Jill Cornelius Hobbs  
Christopher C. Smith

**Original Certificate Applications** - The following were approved:

Emily Williams Arledge  
Margaret Olivia Ashburn  
Pamela Gwen Atkinson  
Bradley W. Barbour  
Julia Elizabeth Black  
Terrie Jean Blevins  
Jennifer Helen Boykin  
Brian Gregory Bruchs  
Jennifer Renee Burris  
William Christian Carter  
Julie Ann Clem-Toschlog  
Jacqueline Knotts Crotts  
Jameson Michael Ellis  
Chris S. Elrod  
Bruce Alexander Farley  
Jennifer Marie Fisher  
Julia Eaker Gardner  
Garit Anthony Gemeinhardt

Susan Glendenning  
Luke Anthony Governale  
Bradley McDonald Greer  
Katherine L. Griffin  
Maria Paulina Haro-Camm  
Jamie Elizabeth Harper  
Bobby Wendell Herring Jr.  
Jill Cornelius Hobbs  
Ryan Alan Kompanik  
Barry Tyrone Leonard  
Melissa Jane Linn  
Kevin Mark Loiselle  
Nancy Marc-Thrasybule  
Kamala M. Massey  
Scott Alexander Oliver  
Toshio Osaka  
Bethany A. Osborne  
John Burwell Parker Jr.

Elizabeth Sosa Perez  
Kristen Norris Rogers  
David Eric Sites  
Christopher C. Smith  
Julie LeAnn Spivey

Lauren Jocelyn Stoner  
Wendy Elizabeth Sutton  
Tara French Tatum  
James Will Vannoy  
Tanya T. Ward-Gupton

**Reciprocal Certificate Applications** - The following were approved:

Kimberly S. Avery  
Ray Hugh Baynard Jr.  
Brad Mitchell Bernstein  
Ilissa Bernstein  
Brett Phillip Blattner  
Mark Richard Bourg  
Elizabeth Leigh Bradburn  
Jeffrey Michael Brinn  
Carrie Leigh Rodman Brondyke  
Paul Christian Brown  
Glenn D. Clausing  
Faith Hawkins Crump  
Jodi Renae Dodgen  
Lacy M. Drummond  
Michael Lee Edwards  
Luke J. Estola  
Jack Edward Finley  
Haoyu Gan  
Patricia Diane Gaunt  
Alison Fromme Gomez  
Banisha Lena Gott  
Elizabeth Karen Hagerty  
Lauren G. Harrison

Richard Warren Hartzell  
Jacquelyn Michelle Kastner  
Allan Clayton Kitchen  
Stephen Joseph Krol  
James Adam Landis  
James Henry Lombardi  
Laurie Ann Lovelady  
W. Scott Luper  
Linda Carol Maxwell  
Brian Joseph McMerty  
Michael E. Metz  
Sarah Lawrence Nold  
Douglas Alan Paddock  
Edward Neil Renner  
Jeffrey Neil Rhodes  
Misty Jenkins Saldi  
Mark Paul Soticheck II  
Karen Spear  
Jason Jeremiah Strange  
Dale Hunter Taylor  
Regina Wahab  
Kerry Lee Watson  
Mary Martin White

**Temporary Permits** - The following temporary permits were approved by the Executive Director and ratified by the Board:

Carrie Leigh Rodman Brondyke T03155  
Glenn D. Clausing T03156  
Rebecca Anne Mathis Faris T03157  
Alison Fromme Gomez T03158  
Banisha Lena Gott T03159  
Vickie Reid Hanner T03160  
Patrick Kirby Henderson T03161  
Jacquelyn Michelle Kastner T03162

Jason Paul Lipscomb T03163  
Susan D. McDaniel T03164  
Kevin Hancock Muller T03165  
Sarah Lawrence Nold T03166  
Jacob Santo Pensler T03167  
Edward Neil Renner T03168  
Adam Louis Wilch T03169  
Karen Hughes Aylor T03170

Carolyn H. Capasso T03171  
Dominick Angelo DeBellis T03172  
Jenny Ann Duey T03173  
Sandra O. Frempong T03174

William B. Katz T03175  
Steven H. Moir T03176  
William Harold Sonnenberg T03177

**Reinstatements** - The following were approved:

Gerald Wayne Bass #6802  
Tracie W. Cox #25561  
Eric Andrew Erikson #22709  
Lori Wingate Gorman #16248

Kathryn L. Kisiel #29091  
John Merle Montague #17882  
Donald Clyde Yount Jr. #15821

**Reissuance of New Certificate** - An application for reissuance of new certificate and consent agreement submitted by Lawrence Walter Marley (#14320) was approved.

**Firm Registrations** - The following professional corporations were approved by the Executive Director and ratified by the Board:

Teresa Boissiere, CPA, PA  
John H. Liverman III CPA, PA  
Sandy McConnell, CPA, PA  
MICHAEL W. McGOWAN, CPA PA  
ORRELL & REINER, P.C.

Petway, Mills & Pearson, P.A., C.P.A.  
J. Alan Rutherford. CPA/ABV, P.A.  
Harriet Clontz Sealey CPA, PA

**Reclassifications** - The Committee approved the request for retired status submitted by Drexel G. Durham (15547) because he is completely retired and does not receive any earned compensation for current personal services in any job whatsoever.

**Extension Requests** - The Committee disapproved Denise F. Linehan (#23885) for extension for completion of CPE.

**Conditional Licenses** - The Committee reviewed a renewal from Haynes P. Lea (#14420) which lists 2003 CPE taken between January 1 and June 30, 2004, without an approved extension. Staff recommended a conditional license for a first offense pursuant to 21 NCAC 8G .0406(b)(1). The Committee approved staff recommendation.

**Examinations** - The Committee reviewed and approved the following staff approved applicants to sit for the Uniform CPA Examination:

James Emory Benfield  
John Alexander Bitsas  
Deborah McGill Brown  
Mary Lynne Caldwell

Lori Anne Carpenter  
Brandy Bumgarner Cline  
Anthony P. Coston  
Brian Michael Crossland

Wen Zhang Ferneyhough  
Joan Carolyn Fontes  
Jonathan Stuart Henry  
Allison Buchanan Hicks  
Lisa Renee Isenhour  
Dallas Clinton Johnson  
Theodore James Karr  
John Michael Kledis  
Sheila Hunter Langston  
Valerie Holt Leary  
Hua Liu  
Brian Labhart McCoy  
Apryl Wesson McCraw  
Leah Beth Payne Noel

Ryan Matthew Parker  
Erin Elizabeth Perry  
Penny Meals Peters  
Jill Hryn timer Pope  
Ashley Maureen Prendergast  
Edward Scott Raymond  
Sampson Parham Reavis Jr  
Lois Michelle Rogers  
Terese Ann Sayers  
Virginia Anne Seippel  
JoAnne Marie Simon  
Ashley Carol Sutton  
Kathryn Ann Thornsvar d  
Debbie Ragan Todd

The Committee determined and approved the Uniform CPA Exam grades as released by the AICPA and listed on the score notices provided by NASBA for the exam sections taken in October - November 2004.

**Miscellaneous** - The Committee approved the 2005 - 2006 renewal form with the addition of the "Oath of a North Carolina CPA" at the bottom of the last page.

**EXECUTIVE STAFF AND LEGAL COUNSEL REPORT:** The Board reviewed and discussed the Staff's recommendation to continue to allow Prometric to provide testing sites for the Uniform CPA Examination in North Carolina. The Board approved the recommendation. The Board provided the Executive Staff with guidance on renting some of the vacant space in the Board's building.

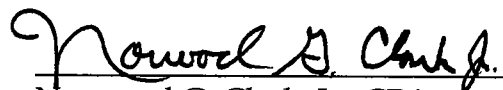
**ADJOURNMENT:** Messrs. Winstead and Harris moved to adjourn the meeting at 12: 30 p.m. Motion passed.

Respectfully submitted:

Attested to by:



Robert N. Brooks  
Executive Director



Norwood G. Clark, Jr., CPA  
President

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200412-055

IN THE MATTER OF:

James Christen Rasmussen, #8638

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence presented, that:

FINDINGS OF FACT

1. James Christen Rasmussen (hereinafter "Mr. Rasmussen") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. Rasmussen failed to timely file the annual firm registration in accordance with provisions as required by NCGS 93-12 (7b) and 21 NCAC 8J .0108(b) and (g).
3. Board staff spoke with Mr. Rasmussen on March 29, 2004. In this conversation, Mr. Rasmussen stated that the Board would receive his firm registration by April 1, 2004.
4. On July 26, 2004, Board staff called Mr. Rasmussen and left a message that, as of that date, the Board had still not received his firm registration.

CONCLUSIONS OF LAW

1. Mr. Rasmussen's failure to timely file the annual firm registration or inform the Board as to the status of his firm's registration prior to the prescribed filing date is a violation of NCGS 93-12 (7b) and 21 NCAC 8J .0108(b) and (g).

BASED ON THE FOREGOING, the Board orders that:

1. Mr. Rasmussen's certificate shall be suspended for thirty (30) days; however, said suspension is stayed.

Board Order - 2  
James C. Rasmussen

2. Mr. Rasmussen shall disclose the suspension of his license whenever asked if he had ever had a license suspended, revoked or disciplined.
3. Mr. Rasmussen's certificate shall be placed on conditional status for one (1) year from the date this Order is approved.
4. Mr. Rasmussen shall pay a five hundred dollar (\$500.00) civil penalty.

This the 24th day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BOARD  
SEAL

BY: \_\_\_\_\_  
President

*Harold S. Clark Jr.*

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200412-056

IN THE MATTER OF:  
Alan C. Cuthbertson, #19311

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence presented, that:

FINDINGS OF FACT

1. Alan C. Cuthbertson (hereinafter "Mr. Cuthbertson") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. Cuthbertson failed to timely file the annual firm registration in accordance with provisions as required by NCGS 93-12 (7b) and 21 NCAC 8J .0108(b) and (g).
3. Effective March 29, 2004, Archerd & Cuthbertson, PLLC, was dissolved with the Department of the Secretary of State, but the Board was never provided a copy of the Articles of Dissolution by Mr. Cuthbertson.

CONCLUSIONS OF LAW

1. Mr. Cuthbertson's failure to timely file the annual firm registration or inform the Board as to the status of his firm's registration prior to the prescribed filing date is a violation of NCGS 93-12 (7b) and 21 NCAC 8J .0108(b) and (g).

BASED ON THE FOREGOING, the Board orders that:

1. Mr. Cuthbertson's certificate shall be suspended for thirty (30) days; however, said suspension is stayed.
2. Mr. Cuthbertson shall disclose the suspension of his license whenever asked if he has ever had a license suspended, revoked, or disciplined.

Board Order - 2  
Alan C. Cuthbertson

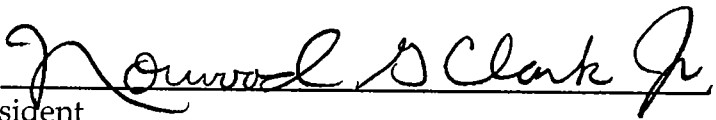
3. Mr. Cuthbertson's certificate shall be placed on conditional status for one year from the date this Order is approved.
4. Mr. Cuthbertson shall pay a five hundred dollar (\$500.00) civil penalty.

This the 24th day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BOARD  
SEAL

BY:  
President

  
Norwood O. Clark Jr.

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200412-056

IN THE MATTER OF:  
Charles Wallace Archerd, #26371

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence presented, that:

FINDINGS OF FACT

1. Charles Wallace Archerd (hereinafter "Mr. Archerd") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. Archerd failed to timely file the annual firm registration in accordance with provisions as required by NCGS 93-12 (7b) and 21 NCAC 8J .0108(b) and (g).
3. Effective March 29, 2004, Archerd & Cuthbertson, PLLC, was dissolved with the Department of the Secretary of State, but the Board was never provided a copy of the Articles of Dissolution by Mr. Archerd.

CONCLUSIONS OF LAW

1. Mr. Archerd's failure to timely file the annual firm registration or inform the Board as to the status of his firm's registration prior to the prescribed filing date is a violation of NCGS 93-12 (7b) and 21 NCAC 8J .0108(b) and (g).

BASED ON THE FOREGOING, the Board orders that:

1. Mr. Archerd's certificate shall be suspended for thirty (30) days; however, said suspension is stayed.
2. Mr. Archerd shall disclose the suspension of his license whenever asked if he has ever had a license suspended, revoked, or disciplined.

Board Order - 2  
Charles Wallace Archerd

3. Mr. Archerd's certificate shall be placed on conditional status for one year from the date this Order is approved.
4. Mr. Archerd shall pay a five hundred dollar (\$500.00) civil penalty.

This the 24th day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BOARD  
SEAL

BY: Newton D. Clark Jr.  
President

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200501-008

IN THE MATTER OF:  
Karl Scott Francis, #16510

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence, that:

FINDINGS OF FACT

1. Karl Scott Francis (hereinafter "Mr. Francis") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. Francis' certificate had been previously placed on conditional status in September of 2001 for failure to complete the Continuing Professional Education (CPE) requirement for 2000.
3. Mr. Francis failed to timely obtain CPE for 2003 in accordance with provisions as required by NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).
4. Mr. Francis subsequently notified the Board that his CPE was completed after the applicable deadline but before July 1, 2004.

CONCLUSIONS OF LAW

1. Mr. Francis' second failure within a five (5) calendar year period to timely obtain the required CPE is a violation of NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).

BASED ON THE FOREGOING, the Board orders that:

1. Mr. Francis shall pay a two hundred fifty dollar (\$250.00) civil penalty.
2. Mr. Francis' certificate shall be placed on conditional status for one year from the date this Order is approved.
3. If Mr. Francis fails a third time within a five (5) calendar year period to obtain the required CPE, his certificate renewal will be denied for at least thirty (30) days and until he meets the reinstatement requirements as set forth in 21 NCAC 8J .0106.

This the 24th day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BOARD  
SEAL

BY:  
President

  
\_\_\_\_\_

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200501-006

IN THE MATTER OF:  
Robert Edwards King, #2725

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence, that:

FINDINGS OF FACT

1. Robert Edwards King (hereinafter "Mr. King") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. King's certificate had been previously placed on conditional status in September of 2002 for failure to complete the Continuing Professional Education (CPE) requirement for 2001.
3. Mr. King failed to timely obtain CPE for 2003 in accordance with provisions as required by NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).
4. Mr. King subsequently notified the Board that his CPE was completed after the applicable deadline but before July 1, 2004.

CONCLUSIONS OF LAW

1. Mr. King's second failure within a five (5) calendar year period to timely obtain the required CPE is a violation of NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).

BASED ON THE FOREGOING, the Board orders that:

1. Mr. King shall pay a two hundred fifty dollar (\$250.00) civil penalty.
2. Mr. King's certificate shall be placed on conditional status for one year from the date this Order is approved.
3. If Mr. King fails a third time within a five (5) calendar year period to obtain the required CPE, his certificate renewal will be denied for at least thirty (30) days and until he meets the reinstatement requirements as set forth in 21 NCAC 8J .0106.

This the 24th day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BOARD  
SEAL

BY: \_\_\_\_\_  
President

*Norman G. Clark Jr.*

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200501-005

IN THE MATTER OF:  
Marie K. Miller, #19253

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence, that:

FINDINGS OF FACT

1. Marie K. Miller (hereinafter "Ms. Miller") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Ms. Miller's certificate had been previously placed on conditional status in September of 2000 for failure to complete the Continuing Professional Education (CPE) requirement for 1999.
3. Ms. Miller failed to timely obtain CPE for 2003 in accordance with provisions as required by NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).
4. Ms. Miller subsequently notified the Board that her CPE was completed after the applicable deadline but before July 1, 2004.

CONCLUSIONS OF LAW

1. Ms. Miller's second failure within a five (5) calendar year period to timely obtain the required CPE is a violation of NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).

BASED ON THE FOREGOING, the Board orders that:

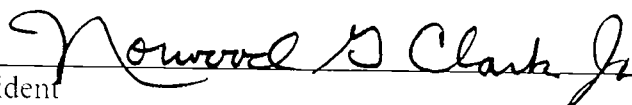
1. Ms. Miller shall pay a two hundred fifty dollar (\$250.00) civil penalty.
2. Ms. Miller's certificate shall be placed on conditional status for one year from the date this Order is approved.
3. If Ms. Miller fails a third time within a five (5) calendar year period to obtain the required CPE, her certificate renewal will be denied for at least thirty (30) days and until she meets the reinstatement requirements as set forth in 21 NCAC 8J .0106.

This the 24<sup>th</sup> day of January, 2005.

BOARD  
SEAL

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BY:  
President



NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200501-004

IN THE MATTER OF:  
Donald Richard Oliver, Jr., #18239

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence, that:

FINDINGS OF FACT

1. Donald Richard Oliver, Jr. (hereinafter "Mr. Oliver") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. Oliver's certificate had been previously placed on conditional status in September of 2003 for failure to complete the Continuing Professional Education (CPE) requirement for 2002.
3. Mr. Oliver failed to timely obtain CPE for 2003 in accordance with provisions as required by NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).
4. Mr. Oliver subsequently notified the Board that his CPE was completed after the applicable deadline but before July 1, 2004.

CONCLUSIONS OF LAW

1. Mr. Oliver's second failure within a five (5) calendar year period to timely obtain the required CPE is a violation of NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).

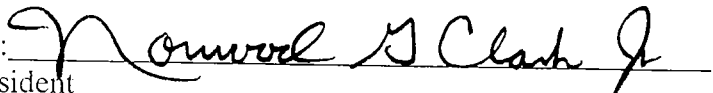
BASED ON THE FOREGOING, the Board orders that:

1. Mr. Oliver shall pay a two hundred fifty dollar (\$250.00) civil penalty.
2. Mr. Oliver's certificate shall be placed on conditional status for one year from the date this Order is approved.
3. If Mr. Oliver fails a third time within a five (5) calendar year period to obtain the required CPE, his certificate renewal will be denied for at least thirty (30) days and until he meets the reinstatement requirements as set forth in 21 NCAC 8J .0106.

This the 24<sup>th</sup> day of January, 2005.

BOARD  
SEAL

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BY:   
President

NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200501-003

IN THE MATTER OF:  
Katherine Finley Smithey, #18010

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence, that:

FINDINGS OF FACT

1. Katherine Finley Smithey (hereinafter "Ms. Smithey") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Ms. Smithey's certificate had been previously placed on conditional status in September of 2001 for failure to complete the Continuing Professional Education (CPE) requirement for 2000.
3. Ms. Smithey failed to timely obtain CPE for 2003 in accordance with provisions as required by NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).
4. Ms. Smithey subsequently notified the Board that her CPE was completed after the applicable deadline but before July 1, 2004.

CONCLUSIONS OF LAW

1. Ms. Smithey's second failure within a five (5) calendar year period to timely obtain the required CPE is a violation of NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).

BASED ON THE FOREGOING, the Board orders that:

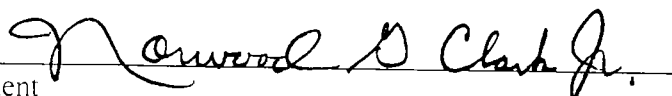
1. Ms. Smithey shall pay a two hundred fifty dollar (\$250.00) civil penalty.
2. Ms. Smithey's certificate shall be placed on conditional status for one year from the date this Order is approved.
3. If Ms. Smithey fails a third time within a five (5) calendar year period to obtain the required CPE, her certificate renewal will be denied for at least thirty (30) days and until she meets the reinstatement requirements as set forth in 21 NCAC 8J .0106.

This the 24<sup>th</sup> day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
PUBLIC ACCOUNTANT EXAMINERS

BOARD  
SEAL

BY:  
President



NORTH CAROLINA  
WAKE COUNTY

BEFORE THE NORTH CAROLINA STATE BOARD OF  
CERTIFIED PUBLIC ACCOUNTANT EXAMINERS  
CASE #: 200501-007

IN THE MATTER OF:  
Roy Wayne Stewart, #12824

ORDER

THIS CAUSE coming before the Board on January 24, 2005, at its offices at 1101 Oberlin Road, Raleigh, Wake County, North Carolina, with a quorum present, the Board finds, based on the clear and convincing evidence, that:

FINDINGS OF FACT

1. Roy Wayne Stewart (hereinafter "Mr. Stewart") is the holder of a certificate as a Certified Public Accountant in North Carolina and is therefore subject to the provisions of Chapter 93 of the North Carolina General Statutes (NCGS) and Title 21, Chapter 8 of the North Carolina Administrative Code (NCAC), including the Rules of Professional Ethics and Conduct promulgated and adopted therein by the Board.
2. Mr. Stewart's certificate had been previously placed on conditional status in September of 2003 for failure to complete the Continuing Professional Education (CPE) requirement for 2002.
3. Mr. Stewart failed to timely obtain CPE for 2003 in accordance with provisions as required by NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).
4. Mr. Stewart subsequently notified the Board that his CPE was completed after the applicable deadline but before July 1, 2004.

CONCLUSIONS OF LAW

1. Mr. Stewart's second failure within a five (5) calendar year period to timely obtain the required CPE is a violation of NCGS 93-12 (8b) and 21 NCAC 8G .0401(e).

BASED ON THE FOREGOING, the Board orders that:

1. Mr. Stewart shall pay a two hundred fifty dollar (\$250.00) civil penalty.
2. Mr. Stewart's certificate shall be placed on conditional status for one year from the date this Order is approved.
3. If Mr. Stewart fails a third time within a five (5) calendar year period to obtain the required CPE, his certificate renewal will be denied for at least thirty (30) days and until he meets the reinstatement requirements as set forth in 21 NCAC 8J .0106.

This the 24th day of January, 2005.

NORTH CAROLINA STATE BOARD OF CERTIFIED  
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